

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Suits –LA SRBC Nandyal, Kurnool District –Panyam Village & Mandal (M)-  
O.P.NO. 36, 33 & 38/91 (3-OP's) – Final decretal charges Rs.8,51,005/--  
Sanction orders-Issued.

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IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 484

Dated:23 -07-2010

Read the following:

1. From the Special Chief Secretary to Government & Chief  
Commissioner of Land Administration, A.P. Hyderabad Lr.No.  
SRP4/2099/2007, Dated: 13.6.2008.
2. From the Special Collector, Srisailem Project, Kurnool  
Lr.Rc.B6/284/2007, Dated: 12.12.2007 and 21.5.2010.

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O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh. Hyderabad and Special Collector, SSP, Kurnool in the references 1<sup>st</sup> and 2<sup>nd</sup> read above, have submitted the proposal relating to dry land in Survey No. 1162/1 etc., for an extent of 15.38 Acres of Panyam village acquired by fixing the Market value @ Rs. 10,000/- per acre through Award No. 2/90-91 dated: 07.07.90 for excavation of SRBC Main Canal. Aggrieved with the Market Value Awarded by the LAO, the awardees have filed petitions u/s.18 (1) of L.A. Act with a request to refer the matter to the Civil Court for adjudication. On making references u/s.18 (1) of L. A. Act to the Lower Court, the Senior Civil Judge, Nandyal had delivered judgments enhancing the market value from Rs.10,000/- to Rs.50,000/- per acre in O.P.Nos.33,36 & 38/1991. Aggrieved with the market value enhanced by the Lower Court, the Special Deputy Collector, LA, SRBC, Nandyal has filed appeals in Hon'ble High Court of Andhra Pradesh, Hyderabad for the O.P.Nos. 33,36 & 38/91 against the orders of the Lower Court. The Hon'ble High Court has dismissed appeals filed by the LAO/SDC., LA, SRBC, Nandyal by confirming Judgments of Lower Court.

2. The Government Pleader for Appeals, High Court of Andhra Pradesh, Hyderabad has opined that there is no point in preferring any SLP against the Judgment of the Hon'ble High Court of Andhra Pradesh, Hyderabad. However, the Special Collector, SSP, Kurnool has issued orders to the Special Deputy Collector, LA, SRBC, Nandyal to file further appeal in Supreme Court. Accordingly, the Special Deputy Collector, LA, SRBC, Nandyal has filed SLP in Hon'ble Supreme Court of India. The Supreme Court of India, New Delhi has dismissed the SLP in CC 8128-8130/2007 on 7.9.2007 filed by the Special Deputy Collector. Hence the Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad/Special Collector, Srisailem Project, Kurnool has submitted the proposals for sanction of an amount of Rs. 8,51,005/- towards final decretal charges.

3. Government, after careful examination of the matter, hereby accord sanction for an amount of Rs.8,51,005/- (Rupees Eight Lakhs Fifty one thousands and Five only) towards decretal charges in respect of O.P.Nos. 33, 36 & 38/91 (3 cases) pertaining to Panyam Village and Mandal, Kurnool District in Survey No. 1162/1 acquired through Award No. 2/90/91, dated: 7.7.1990 for excavation of SRBC Main Canal, subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner of Land Administration, Hyderabad, immediate action should be taken to recover the loss sustained

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by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Special Collector, Srisailem Project, Kurnool should verify the

calculations made by the LAO, once again thoroughly with reference to the decree and instructions issued by the Government/Chief Commissioner of Land Administration, Hyderabad on the subject from time to time, before depositing the amount in the Lower Court.

4. The Special Collector, SSP, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P. No. 2181/2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.Nos. 33, 36 and 38/91 (3 cases) for avoiding intervention of the middlemen.

5. The expenditure sanctioned in para ( 3 ) above may be debitable to the following Head of Account under : "2701 -Major and Medium Irrigation; 01 - Major Irrigation (Commercial); MH - 123 SRBC; G.H. 11 - Normal State Plan; S.H. (27) Canals & Distributaries; 530 - Major Works; 532 - Lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant

6. This order issues with the concurrence of Finance(W&P) Department vide their U.O.No. 3388/F4(1)/2010-1, Dated: 8.7.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,  
SECRETARY TO GOVERNMENT.

To

The Special Chief Secretary & Chief Commissioner of Land Administration,  
A.P. Hydedrabad

The Special Collector, Srisailam Promject, Kurnool

The Special Deputy Collector, L.A. SRBC, Nandyal

The Engineer-in-Chief, Hyderabad

The Revenue Divisional Officer, Nandyall

The Superintending Engineer, I & CAD, Kurnool

The Director of Works and Accounts, Hyderabad

The District Treasury Officer, Kurnool

The Joint Director, Works & Accounts, Srisailam, Kurnool

The Pay & Accounts Officer, Kurnool

Copy to

P.S. to Minister (M & MI)

Law Department/Finance (W&P) Department

Secretary (RRM) peshi

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SECTION OFFICER